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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 DAMION BROMFIELD,
12 Plaintiff,

13 v.

14 CHARLES MCBURNEY, *et al*,
15 Defendants.

CASE NO. C07-5226RBL-KLS

ORDER

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17 The Court, having reviewed defendant's supplemental motion to dismiss/motion for summary
18 judgment (Dkt. #57), the Report and Recommendation of United States Magistrate Judge Karen L.
19 Strombom, objections to the Report and Recommendation, if any, and the remaining record, does hereby
20 find and ORDER:

- 21 (1) Antolin Andrew Marks' filing of objections purportedly on behalf of plaintiff were not
22 considered and will be **STRICKEN** [Dkt. #60]. Marks' Motion to File Amicus Brief [Dkt.
23 #61] is **DENIED**.
- 24 (2) The Court adopts the Report and Recommendation;
- 25 (3) Defendant's motion is GRANTED;
- 26 (4) Plaintiff's complaint is hereby DISMISSED without prejudice;
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1 (5) The Clerk is directed to send copies of this Order to plaintiff, defendant's counsel and
2 Magistrate Judge Karen L. Strombom.

3 DATED this 12th day of March, 2009.

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5 RONALD B. LEIGHTON
6 UNITED STATES DISTRICT JUDGE
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